

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

FRANKLIN DELANO RAGSDALE,	§	
	§	
Plaintiff,	§	
vs.	§	Civil Action No. 3:06-CV-863-H (BH)
	§	
CLASSROOM TEACHERS OF	§	(Consolidated with No. 3:06-CV-870-D)
DALLAS, et al.,	§	
	§	
Defendants.	§	ECF

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, concerning Defendants Dale Kaiser and National Education Association - Dallas's *Motion to Dismiss for Failure to State a Claim*, filed August 9, 2006, and Defendants Kevin Lungwitz and E.C. Walker's *Motion to Dismiss for Failure to Properly Plead and for Failure to State Claim Upon Which Relief May Be Granted or, in the Alternative, Motions for More Definite Statement*, filed August 18, 2006, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. The Motions are **DENIED** as to Plaintiff's 42 U.S.C. §§ 1981, 1983, 1985(3), and 1986 claims. The Motions are **GRANTED** as to Plaintiff's claims for relief under 42 U.S.C. § 1988, the Emancipation Proclamation, and the Thirteenth and Fourteenth Amendments to the United States Constitution, and these claims are **DISMISSED WITH**

PREJUDICE pursuant to FED. R. CIV. P. 12(b)(6). Defendants Kevin Lungwitz and E.C. Walker's *Motions for More Definite Statement* are **DENIED**.

SIGNED this 5th day of February, 2007.

A handwritten signature in dark ink, reading "Ed Kinkeade". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

ED KINKEADE
UNITED STATES DISTRICT JUDGE